

[142] Attorney Docket No. : ALX-141.1 CPA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yi Wang, Louis Matis, and Scott Rollins

Serial No. : 08/236,208

Filed : May 2, 1994

For : METHOD FOR THE TREATMENT OF
GLOMERULONEPHRITISExaminer : P. Gambel
Corresponding Division
Corresponding Files (09)

Group : 1806

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED

FEB 06 1998

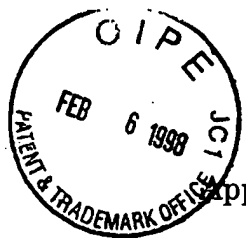
Office of Patent Publication
Director's OfficeHAND DELIVERY INFORMATION

Attached hereto are the following papers which are to be hand delivered to the Commissioner of Patents and Trademarks, Washington, D.C., 20231 on February 6, 1998:

1. Information Disclosure Statement (3 pages)
2. Modified 1449 Form (3 pages)
3. Cited References (14 references)
4. Continued Prosecution Application Under 37 CFR 1.53(d) (5 pages; with attached Petition for Withdrawal from Issue)
5. Return Receipt Postcard (1 card)

Date Signed

Maurice M. Klee, Ph.D.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yi Wang, Louis Matis, and Scott Rollins
Serial No. : 08/236,208
Filed : May 2, 1994
For : METHOD FOR THE TREATMENT OF
GLOMERULONEPHRITIS
Examiner : P. Gambel
Group : 1806

#22
Gambel
TE
99

Commissioner of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 CFR §1.56 and 37 CFR §1.97(b)(1), applicants wish to call the Examiner's attention to the references listed on the Modified 1449 Form submitted herewith.

This application is a continued prosecution application of allowed application number 08/236,208, filed May 2, 1994 (the '208 application). The issue fee for the '208 application was paid on March 3, 1997, but no issue date or patent number has been assigned to the '208 application.

A petition for withdrawal from issuance is being submitted in the '208 application simultaneously herewith so that this information disclosure statement can be considered in this continued prosecution application.

References 21-34 (copies enclosed) were not cited during the prosecution of the '208 application. Some of these references were cited in one or more of the following related applications:

- 1) Serial No. 08/575,057 entitled "THE USE OF C5-SPECIFIC ANTIBODIES FOR REDUCING IMMUNE AND HEMOSTATIC DYSFUNCTIONS DURING EXTRACORPOREAL CIRCULATION" filed on December 21, 1995 by inventors Scott Rollins, Brian R. Smith, and Stephen P. Squinto (the "'057 application");
- 2) Serial No. 08/867,612 entitled "METHODS FOR THE TREATMENT OF INFLAMMATORY JOINT DISEASE" filed on June 2, 1997 by inventors Yi Wang and Louis Matis (the "'612 application");
- 3) Serial No. 08/487,283 entitled "METHODS AND COMPOSITIONS FOR THE TREATMENT OF INFLAMMATORY DISEASES" filed on June 7, 1995 by inventors Mark J. Evans, Louis A. Matis, Eileen E. Mueller, Steven H. Nye, Scott Rollins, Russell P. Rother, Jeremy P. Springhorn, Stephen P. Squinto, Thomas C. Thomas, and James A. Wilkins; and
- 4) International Application No. PCT/US95/05688 entitled "METHODS AND COMPOSITIONS FOR THE TREATMENT OF GLOMERULONEPHRITIS AND OTHER INFLAMMATORY DISEASES" filed May 1, 1995 by inventors Mark J. Evans, Louis A. Matis, Eileen E. Mueller, Steven H. Nye, Scott Rollins, Russell P. Rother, Jeremy P. Springhorn, Stephen P. Squinto, Thomas C. Thomas, Yi Wang, and James A. Wilkins. (A copy of the International Search Report for this PCT application is attached hereto as Exhibit A.)

In particular, applicants would like to draw the Examiner's attention to the Sindelar et al. patents (References 22 and 23) which were cited in the '057 and '612 applications. Under the heading "Clinical Implications of C5a Release", Table III of these patents refers to the "Inflammation of Glomerulonephritis". The patents are concerned with dihydrobenzofurans and similar compounds, and do not disclose or suggest that anti-C5 antibodies can be used to treat preexisting glomerulonephritis. Accordingly, applicants believe that their previously allowed claims continue to be allowable over these references, as well as the other additional references submitted herewith.

The Examiner is respectfully requested to initial a copy of the Modified 1449 Form and return it to applicants to indicate consideration of the references listed thereon in connection with the prosecution of this application.

Respectfully submitted,

Date: 2/5/98

Maurice Klee

Maurice M. Klee, Ph.D.
Reg. No. 30,399
Attorney for Applicant
1951 Burr Street
Fairfield, CT 06430
(203) 255-1400